

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JEFFREY D. CORDTZ,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION FILE
vs.	)	
	)	1:21-CV-02003-MHC-LTW
JOHNSON LEGAL OFFICES, L.L.C.,	)	
FCI LENDER SERVICES, INC. and	)	
LARRY W. JOHNSON,	)	
	)	
Defendants.	)	

**DEFENDANT JLO’S AND DEFENDANT LWJ’S MOTION TO STRIKE**

COME NOW JOHNSON LEGAL OFFICES, L.L.C. (“JLO”) and LARRY W. JOHNSON (“LWJ”), co-Defendants in the above-styled civil action, and hereby file their Motion to Strike and show this honorable Court in support thereof as follows:

Rule 12(f) provides that “[t]he court may strike from any pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. ...” Additionally, the 11<sup>th</sup> Circuit has held that exhibits are subject to a motion to strike. See Crawford's Auto Ctr., Inc. v. State Farm Mut. Auto. Ins. Co., 945 F. 3d 1150 (11th Cir. 2019). The email chain filed as Document 125-2 (also wit inappropriate settlement discussions) and the Order filed as Document 125-3 (from the State Court of Fulton County, Georgia) both are irrelevant and not properly authenticated, nor are they admissible simply by attaching them to an

affidavit without laying the proper foundation. *See Williams v. Mosaic Fertilizer, L.L.C.*, 889 F. 3d 1239 (11th Cir. 2018). Additionally, none of the documents attached to the Declaration of Shimshon Wexler filed herein are certified or are public documents; consequently, they should be stricken. *See Bryant v. Avado Brands, Inc.*, 187 F. 3d 1271 (11<sup>th</sup> Cir. 1999).

WHEREFORE, Defendant JLO and Defendant LWJ once again request that this honorable Court grant their Motion to Strike.

Respectfully submitted this 20<sup>th</sup> day of January, 2023.

JOHNSON LEGAL OFFICES, L.L.C.

By: /s/ Larry W. Johnson

Larry W. Johnson

Georgia Bar No. 394895

Attorney for Defendant JLO and  
Defendant LWJ

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CordtzLJOSStrikeMotion02

CERTIFICATE OF COMPLIANCE WITH L.R. 5.1C

I hereby certify that the foregoing has been computer processed with 14 point Times New Roman font in compliance with the United States District Court for the Northern District of Georgia, L.R. 5.1C.

/s/ Larry W. Johnson  
Larry W. Johnson  
Georgia Bar No. 394895  
Attorney for Defendant JLO  
and Defendant LWJ

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing DEFENDANT JLO'S AND DEFENDANT LWJ'S MOTION TO STRIKE was served upon all parties electronically via the Court's system if filed, plus the following who was also served by mailing same by United States First Class Mail or better in a properly addressed envelope with adequate postage affixed thereon to ensure delivery, addressed as follows:

Shimshon Wexler, Esq.  
S WEXLER, L.L.C.  
2244 Henderson Mill Road  
Suite 108  
Decatur, GA 30345  
Attorney for Plaintiff

This 20<sup>th</sup> day of January, 2023.

/s/ Larry W. Johnson  
Larry W. Johnson  
Attorney for Defendant JLO and  
Defendant LWJ

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